



City of Yelm

EST. 1924

WASHINGTON

“Proudly Serving Our Community”

To: Yelm Planning Commission
From: Tami Merriman, Associate Planner
Date: October 14, 2019
Subj: Unified Development Code Update

BACKGROUND

Pursuant to Section 18.04.050 YMC, the Yelm Planning Commission has reviewed the City of Yelm Unified Development Code for compliance with current Federal Communications Commission (FCC) rulings in regards to facilitating the sharing of infrastructure that supports wireless communications and limitations upon local government application and development requirements applicable to proposals for modification.

The Commission has also been tasked to review development regulations to facilitate the Comprehensive Plan Goal for housing: “Encourage the availability of affordable housing to all economic segments of the population of the state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.”

CURRENT SITUATION

Current code sections do not clarify timing as required by the FCC for wireless communication facilities, and design standards for location on existing infrastructure in existing City rights-of-ways. The proposed changes brings the code into compliance with the recent FCC rulings.

In regards to housing, the Commission determined that more in-depth study is required to address low and extremely low income housing. The Commission reviewed the current design standards for residential development for possible barriers to development of a variety of residential densities and housing types.

PROPOSED CHANGES

Proposed updates for Wireless Communication Facilities include new and updated sections to clarify specific timing requirements as required by the FCC for wireless communication facilities, and design standards for new, and colocation of wireless communication facilities within existing rights-of-ways.

Planning Commission Findings:

1. Chapter 18.10 Integrated Project Review Process does not clarify specific “Shot Clock” timing for review and approval of Wireless Communication Facilities as required by the Federal Communications Commission.
2. Chapter 18.70 Wireless Communication Facilities does not clarify exemptions for temporary wireless communication facilities, requirements for Franchise Agreements, or standards for attached and new wireless communication facilities within City rights-of-ways.

Proposed updates in regards to housing include providing density bonus for developments that integrate housing variety in development, allowing only multi-family development in the high density residential zone, reducing setback requirements for secondary dwelling units, and reducing parking requirements for multi-family development over 4 units.

Planning Commission Findings:

1. The City of Yelm currently has approximately 408 apartment units, 192 of which are considered low income, or subsidized housing, equaling over 47% of available units.
2. In order to implement programs for requiring low income housing, and take advantage of state funding programs such as tax incentives and impact fee waivers, a more detailed and in-depth study should occur to determine current market analysis, vacancy rates, median income, and Yelm’s specific needs.
3. Current market trends show the greatest sales of homes are large homes at current market rate, mainly to established families and retirement aged persons, and more expensive homes for those in high income brackets.
4. Most residential developments in the City do not build to the maximum density allowed.
5. Market rate home prices are above what working wage and median income persons can afford.
6. A range of housing types would help provide affordable homes in the form of townhouses, duplexes, multi-family establishments, and smaller homes for seniors, new families, and median income families.
7. Most barriers that prevent development of housing variety and sizes are out of control of city regulations, such as financing options and availability, and building, land, and labor costs.
8. The Commission explored:
 - a. Increasing minimum density requirements.
 - b. Limit maximum lot coverage.
 - c. Providing density bonuses for housing variety.
 - d. Relaxing development standards for accessory dwelling units (ADU).
 - e. Removing height limitation for Multi-family buildings.
 - f. Changing minimum height for accessory buildings.
 - g. Reducing minimum parking requirements for multi-family dwellings.
 - h. Possible results to public infrastructure with density increase.

The Commission proposes the following changes to the Unified Development Code in regards to wireless communication facilities:

Create Section 18.10.065 Determination of completeness for certain applications.

Update Section 18.10.090 to clarify required timing.

Update Section 18.70.020 Exemptions to allow temporary wireless communication facilities for special events, maintenance, or emergency.

Update Section 18.70.055 Franchise required to clarify that wireless communication facilities in public right-of-way are required to have a franchise agreement.

Update Section 18.70.070 Design Standards for attached WCFs to provide design standards wireless communication facilities within a public right-of-way.

Update Chapters 18.31 Low Density Residential District, 18.32 Moderate Density Residential District, 18.33 High Density Residential District, & and 18.64 Zoning Overlays to provide density bonus for planned residential developments that provide a mix of housing types, and increase maximum height for accessory buildings.

Update Chapter 18.35 Central Business District to reduce setbacks for accessory dwelling units.

Update Chapter 18.33 High Density Residential to allow only multi-family development, and remove reduced height limitation when adjacent to lower density residential development.

Update Chapter 18.54 Parking to reduce minimum parking requirements for multi-family developments over 4 units.

The Commission discussed the option of increasing minimum density requirements in the residential zones, however chose not to do so as it may deter new residential development within the City.

The Commission discussed the option of proposing a maximum lot coverage in the residential zones, however chose not to do so as it may deter new residential development with the City.



City of Yelm

EST. 1924

WASHINGTON

“Proudly Serving Our Community”

2019 UNIFIED DEVELOPMENT CODE UPDATE

| DEVELOPMENT BARRIERS | | | RECOMMENDATION |
|------------------------------|---|---|--|
| BARRIER | CURRENT CODE | INCENTIVES AND OPTIONS | |
| MARKET TREND | N/A | N/A | N/A |
| MATERIAL COST | N/A | N/A | N/A |
| LABOR COST | N/A | N/A | N/A |
| FINANCING | N/A | N/A | N/A |
| OPTIONS | N/A | N/A | N/A |
| LAND COST | N/A | N/A | N/A |
| LOW INCOME UNIT AVAILABILITY | NOT ADDRESSED | VARIOUS INCLUSIONARY ZONING OPTIONS STATE TAX INCENTIVES | NEED IN-DEPTH STUDY AT CITY COUNCIL RECOMMENDATION |
| DEVELOPMENT REGULATIONS | | | 10/21/2019 RECOMMENDATION |
| DENSITY | NO CURRENT BARRIER, DENSITY ALLOWED HAS NOT BEEN ACHIEVED | INCREASE MINIMUM DENSITY REQUIREMENT REQUIRE DIFFERENT HOUSING TYPES DENSITY BONUS FOR PRD DO NOT ALLOW SFR IN HIGH DENSITY ZONE | NO CHANGE REQUIRED FOR DENSITY BONUS BONUS FOR PRD & TOWNHOUSE DEVELOPMENT DO NOT ALLOW SFR IN R-16 |
| PARKING | 2 PER DWELLING UNIT | REDUCE MF MINIMUM REQUIREMENTS REMOVE MINIMUM REQUIREMENTS FOR CBD | BY NUMBER OF BEDROOMS 1/ADU & BY NUMBER OF BEDROOMS |
| HEIGHT AND SETBACKS | SFR – ACCESSORY BLDG MF – REDUCED WHEN ADJACENT TO SFR COMMERCIAL - | LIMIT MAXIMUM LOT COVERAGE ALL MF 35 FEET OR 3 STORY RAISE HEIGHT IN COMMERCIAL TO ACHIEVE MIXED USE HOUSING | NO CHANGE REMOVE HEIGHT REDUCTION WHEN ADJACENT TO LOWER DENSITY NO CHANGE |
| STREET OPEN SPACE | 60' ROW 5% SFR 10% MF | REDUCE STREET CROSS-SECTION REMOVE ONSTREET PARKING REDUCE OPEN SPACE REQUIREMENT | ALLOWED IN PRD NOW AND FURTHER REVIEW AS PART OF TRANSPORTATION PLAN UPDATE NO CHANGE |

Chapter 18.10

INTEGRATED PROJECT REVIEW PROCESS

Sections:

- 18.10.010 Intent and general provisions.
- 18.10.020 Site plan review committee.
- 18.10.030 Application and interpretation.
- 18.10.040 Consent to inspection.
- 18.10.050 Project categorization.
- 18.10.060 Determination of completeness.
- 18.10.065 Determination of completeness for certain applications
- 18.10.070 Permit vesting.
- 18.10.080 Notice of application.
- 18.10.090 Final decision and notice.
- 18.10.100 Appeals.
- 18.10.110 Application requirements.
- 18.10.120 Additional application requirements for certain applications.

18.10.010 Intent and general provisions.

The intent of this chapter is to establish procedures for implementing the provisions of Chapter 36.70A RCW regarding compliance, conformity, and consistency of proposed projects with adopted comprehensive plans and development regulations. This chapter is enacted pursuant to the Washington state legislature requirements under the Regulatory Reform Act and Chapters 36.70A, 36.70B, 36.70C, 43.21C, and 58.17 RCW.

Unless otherwise indicated in this chapter, the applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessments, studies, plans, reconnaissance, peer review by qualified consultants, and other work prepared in support of or necessary to review the application.

In the interpretation and application of this chapter, the provisions of this chapter shall be considered to be the minimum requirements necessary, shall be liberally construed to serve the purpose of this chapter, and shall be deemed to neither limit nor repeal any other provisions under state statute. (Ord. 995 § 12 (Exh. A), 2015).

18.10.020 Site plan review committee.

The site plan review committee shall be comprised of the community development director, the public works director, and other members as appointed by the city administrator or his/her designee. The site plan review committee reviews all applications for land development to ensure compliance with all city development regulations. (Ord. 995 § 12 (Exh. A), 2015).

18.10.030 Application and interpretation.

A. Application. This chapter describes how the city will concurrently process applications for development subject to review under the Unified Development Code, this title.

B. Interpretation. The community development director or his/her designee shall review project applications as follows:

1. For consistency with Yelm's comprehensive plan, the standards of this title, and any adopted development and design guidelines;
2. To identify specific project design and conditions relating to mitigation; and
3. To make decisions on permits based upon the record established at the public hearing, if one is held. (Ord. 995 § 12 (Exh. A), 2015).

18.10.040 Consent to inspection.

The applicant shall provide sufficient and reasonable access to the property, to enter upon and inspect as reasonably necessary to process the application. (Ord. 995 § 12 (Exh. A), 2015).

18.10.050 Project categorization.

Once an application is received, the community development department determines the project's categorization, and shall follow the review process as described below.

A. Ministerial. Projects allowed outright by the underlying zoning district and are of such a scale and character that they do not require public notice or hearings. These projects are subject to clear and objective standards and may require professional technical judgment.

B. Administrative. Projects allowed outright by the underlying zoning district and are of such a scale and character that they may cause impacts to the surrounding neighborhood or to city services that may require mitigation. Administrative projects require public notice, but do not require an open record pre-decision hearing. These projects are subject to objective and subjective standards, about which there may be limited public interest, and which may require discretion about nontechnical issues.

C. Quasi-Judicial. Projects that are of such a scale and character that they may be incompatible with the surrounding neighborhood or to city services that may not be able to be fully mitigated. Quasi-judicial permits require public notice, an open record pre-decision hearing, and allow for a closed record appeal. These projects require substantial discretion, and may have broad public interest.

D. Legislative. Projects that entail the creation of new policies or codes that require significant public input. Legislative projects require an open record pre-decision hearing. These projects have broad public interest. (Ord. 995 § 12 (Exh. A), 2015).

18.10.060 Determination of completeness.

A. Within 28 days of receipt of an application, the city shall notify the applicant that the application is complete or what specific information is required to complete the application.

Within 14 days of receipt of additional information from the applicant, the city shall notify the applicant that the application is complete or remains incomplete.

Notices may be sent via electronic mail or first class mail. (Ord. 995 § 12 (Exh. A), 2015).

18.10.065 Determination of completeness for certain applications.

A. Wireless communication facilities.

For wireless communication facilities, the city must provide written notice to the applicant within ten (10) days of receipt of the application, specifically delineating any missing documents or information required in the application.

18.10.070 Permit vesting.

A valid and fully complete ministerial, administrative, and quasi-judicial permit application, and/or developer agreement establishes the point of vesting of development rights. (Ord. 995 § 12 (Exh. A), 2015).

18.10.080 Notice of application.

A. When Required. All administrative and quasi-judicial project permit applications require issuance of a notice of application.

B. Content. All notices of application shall contain a description of the proposed project, including the dates of its application and determination of completeness; the date, time, place, and type of action for the project; the method to comment upon and/or appeal the project; identification of other known permits needed; identification of existing environmental documents; and the threshold determination pursuant to the State Environmental Policy Act, if applicable.

C. Timing. A notice of application is distributed within 14 days after the determination of completeness, and provides for a comment period of 15 days following the date of the notice of application.

D. Notice of Application Methods. Distribution of the notice of application will be by the following methods.

1. Electronic mail, or first class mail to affected city departments, state or federal agencies having jurisdiction, affected tribal governments, and to the applicant and/or the applicant's representative.
2. First class mail to all property owners of record within 300 feet of the subject project's boundaries.
3. Publication in a newspaper of general circulation in the city.
4. Other noticing requirements that may be required by state or federal statute.

E. Special Considerations.

1. Administrative Subdivision. Within 10 days of determination of completeness, notice shall be posted on or around the land proposed to be subdivided in at least five conspicuous places designed to attract public awareness of the proposal. The notice shall include notification that no public hearing will be held on the application unless requested within 21 days from the date of the notice, and set procedures and time limitations for persons to require a public hearing and make comments.
2. Secure Community Transition Facilities. In addition to the methods listed above, notice shall be provided via first class mail to all property owners of record within 1,000 feet of the subject project's boundaries.
3. Conceptual and Final Master Site Plans. In addition to the methods listed above, notice shall be provided via first class mail to all property owners of record within 1,000 feet of the subject project's boundaries. (Ord. 995 § 12 (Exh. A), 2015).

18.10.090 Final decision and notice.

All final decisions shall include procedures for appeal. A final decision may consist of a letter of approval for ministerial projects, or a permit approval or a decision at a hearing for administrative, quasi-judicial, and legislative projects.

A. Timing.

1. A final decision must be issued within 120 days after the notice of complete application is issued; provided, that this does not include any time taken:
 - a. By the applicant to submit additional information required for the review of the project;
 - b. For the preparation of an environmental impact statement; or
 - c. To process and decide administrative appeals provided they do not exceed 90 days for an open record appeal hearing or 60 days for a closed record appeal.
2. The 120-day limit does not apply to legislative projects.

B. Special Considerations.

1. Preliminary Subdivision. A final decision for preliminary subdivisions shall be issued within 90 days after the notice of complete application is issued.
2. Final Subdivision. Final subdivisions will be approved, disapproved or returned to the applicant within 30 days from the date of submitting the final subdivision application to the city. (Ord. 995 § 12 (Exh. A), 2015).

3. New Wireless Communication Facility. A final decision for a new wireless communication facility shall be issued within 90 days after the notice of complete application is issued.

4. Co-location or limited modification of an existing wireless communication facility. A final decision for the co-location or limited modification of an existing wireless communication facility will be issued within 60 days.

18.10.100 Appeals.

A. Appeals of Administrative Determinations. All ministerial and administrative project permit decisions, and any administrative determination that terminates review may be appealed to the hearing examiner at an open record appeal hearing.

B. Appeals of Hearing Examiner Decisions. All final decisions of the hearing examiner may be appealed to the city council at a closed record appeal hearing.

C. Judicial and State Board Appeals. All final decisions of the city council may be appealed pursuant to the time limits, methods, procedures and criteria for review of land use decisions by the courts or by a quasi-judicial body created by state law, such as the Growth Management Hearings Board.

D. Appeal of State Environmental Policy Act Threshold Determinations.

1. Determination of Nonsignificance (DNS). There is no local administrative appeal of a DNS.
2. Determination of Significance (DS). An appeal of a DS or the scope of the environmental impact statement may occur before a final decision. The hearing examiner shall decide the appeal at a closed record appeal hearing.
3. Mitigated Determination of Nonsignificance (MDNS).
 - a. For projects requiring a public hearing, the appeal shall be consolidated with the underlying permit.
 - b. For projects that do not require a public hearing, the appeal must be made together with an appeal of the underlying permit of the MDNS.

E. Standing to Appeal. Appeals may be initiated by:

1. The applicant and/or the owner of property to which the decision is directed;
2. Another person aggrieved or adversely affected by the decision, or who would be aggrieved or adversely affected by a reversal or modification of the decision. A person is aggrieved or affected within the meaning of this section only when all the following conditions are present:
 - a. The land use decision has prejudiced or is likely to prejudice that person;
 - b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
 - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 - d. The petitioner has exhausted his/her administrative remedies to the extent required by law.

F. Content of Appeal. Appeals must be in writing, be accompanied by the appeal fee established by the city council, and contain the following information:

1. Appellant's name, address, and phone number;
2. A statement describing the appellant's standing to bring the appeal;
3. Identification of the decision that is the subject of the appeal, including date of the decision being appealed;
4. A specific statement of the grounds for the appeal and the facts upon which the appeal is based;

5. The relief sought; and

6. A statement that the appellant has read the appeal and believes the contents to be true and correct, signed by the appellant.

G. Timing of Appeal. All appeals must be filed within 21 days from the date of the decision being appealed.

H. Requests for Reconsideration. Requests for reconsideration to the hearing examiner or city council are not authorized.

I. Stay. A timely appeal stays the effective date of the decision until the matter has been resolved at the city level. (Ord. 995 § 12 (Exh. A), 2015).

18.10.110 Application requirements.

Each application shall contain the following information in clear and intelligible form:

A. A complete description of the proposed development;

B. The names, addresses and telephone numbers of the owner(s) of the land; the applicant; the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan; and of any authorized representative of the applicant;

C. Names and addresses of owners of record of land within 300 feet of the parcel(s) proposed for development, and within 300 feet of contiguous property in the same ownership;

D. Site address and legal description, including parcel numbers of all lands included in the development, and total acreage;

E. Vicinity sketch showing the location of the site and its relationship to surrounding areas;

F. The proposed use or uses of the land and buildings, and number of square feet in gross floor area for each commercial and industrial use;

G. Copy of covenants or other restrictions applying to or proposed to encumber or be imposed upon the site;

H. A site plan drawing or drawings at a scale of not less than one inch for each 50 feet which shall include or show:

1. The location of all existing and proposed structures, including, but not limited to, buildings, building setback lines, fences, culverts, bridges, roads and streets on the subject property;

2. The boundaries of the property proposed to be developed;

3. All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use or for open space under the provisions of this or any other city ordinance, and information regarding percentage of area covered;

4. Preliminary landscaping;

5. All existing and proposed easements;

6. The locations of all existing and proposed utility structures and lines, and the location of any wells and underground storage tanks on or within 100 feet of the site;

7. The stormwater drainage systems for existing and proposed structures;

8. All means of vehicular and pedestrian ingress and egress at the site and the size and location of driveways, streets and roads;

9. The location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces;
10. The location of all loading spaces, including, but not limited to, truck loading platforms and loading docks;
11. A grading plan for any cuts and/or fills collectively exceeding 100 cubic yards, exclusive of cuts and fills solely for streets or utilities. Such plan shall include the extent and nature of proposed cuts and fills and information on the character of the soil and underlying geology;
12. Location and area, in square feet, of all signs;
13. Topographic map or maps that delineate contours, both existing and proposed, at intervals of two feet, and which locate existing streams and forested areas, and the location of all areas subject to flooding with any proposed flood control facilities or improvements;
14. The location of other natural features such as rock outcroppings and marshes;
15. The boundaries of any natural resource lands or critical areas as defined by the city;
16. The proposed number of square feet in paved or covered surfaces, whether covered by buildings, driveways, parking lots or any other structure covering land; and the total amount of square feet in the entire proposed development site; and
17. The proposed number of dwelling units in the development, if applicable;

I. Building elevations, perspective renderings or such other graphic material or evidence to illustrate effect on the view enjoyed by and from other properties in the vicinity;

J. The appropriate application fee(s). (Ord. 995 § 12 (Exh. A), 2015).

18.10.120 Additional application requirements for certain applications.

In addition to the application requirements above, additional information is required for certain specific applications, as follows.

A. Building Permits.

1. The name, address and phone number of the prime contractor;
2. Either the name, address and phone number of the office of the lender administering the interim construction financing, if any, or the name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the construction project;
3. Plans, specifications and reports, as required by Chapter 18.23 YMC.

B. Sign Permits.

1. Location of the sign structure, drawings or photographs showing the design and dimensions of the sign and details of its proposed placement.
2. Indicate primary, secondary and if available third and fourth walls and such other pertinent information as the community development department may require.
3. Applications for digital messaging signs shall indicate how compliance with YMC 18.62.050 is achieved.

C. Civil Plan Review.

1. Plans, specifications and reports, as required by the Yelm Engineering Specifications and Standard Details.

D. Wireless Communications Facilities (WCF).

1. The proposed color(s) of the facility including antennas.
2. A statement signed by the applicant and landowner indicating that:
 - a. For freestanding WCFs, the applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional WCFs, by other WCF providers, on the applicant's structure; and
 - b. For all WCFs, the applicant and landowner agree to dismantle and remove the WCF and restore the site within one year after abandonment.
3. Documentation that the WCF will not cause substantial noise or interference with electrical, transmission or reception functions or cause similar disturbances.
4. If applicant is also the WCF provider, proof that the applicant is licensed by the FCC, or not required to be licensed.
5. If the applicant is not the WCF provider, proof of lease agreements with an FCC licensed WCF provider if such provider is required to be licensed by the FCC.
6. Except for a co-location proposal, documentation that there are no co-location possibilities as an alternative to installation of the WCF. At minimum, this requires an assessment of any existing towers that have the location, as well as the existing or potential height, structural capability and equipment structure area, to serve the applicant's needs, a written request to those tower owners to co-locate on their facilities, and a good faith effort to work with those tower owners to co-locate.
7. Information identifying the radio frequencies to be received, transmitted, or relayed from the facility, and technical documentation demonstrating compliance with FCC standards for electromagnetic field strength in the form of power density expressed as micro-watts per square centimeter.
8. Documentation that the WCF antenna and support structure are safe and the surrounding areas will not be negatively affected by WCF failure, falling ice, or other debris or interference.

E. Freestanding Wireless Communication Facilities.

1. The reasonably calculated distance between the freestanding WCF and the nearest residentially zoned property and the nearest property with an existing residence.
2. A statement signed by the applicant stating the freestanding WCF will comply with all Federal Aviation Administration (FAA) regulations.
3. A statement signed by the applicant documenting that the freestanding WCF will accommodate the co-location of at least two additional antennas for future users, or an explanation of why such design is not feasible for technical or physical reasons.
4. Documentation that adequate security measures will be provided, including anti-climbing devices.
5. Aerial test photos (e.g., balloon) from all four directions off-site, from close proximity to the front and rear of any residence on adjacent properties, including across any roadway fronting the subject property, and from the boundary line of any adjacent jurisdiction within two miles of the site.
6. Method and color of fencing and, if applicable, the method of camouflage and illumination.

F. Preliminary Subdivisions.

1. A map of the proposed subdivision drawn upon one or more sheets with a maximum size of 18 inches by 24 inches; these sheets shall show specifically and clearly the following features and information:

- a. The plat datum, north arrow, date, and scale at one inch equals either 50, 100, or 200 feet.
- b. The boundary lines of the property to be divided and names of adjacent subdivisions, streets, and boundary lines of adjacent parcels.
- c. The boundaries of existing adjacent or internal lots, blocks and streets shown with dotted lines.
- d. The boundaries and purpose of parcels of land intended to be dedicated or temporarily reserved for public use or to be reserved for common use of property owners or residents of the subdivision, along with any conditions or limitations of such dedications or reservation clearly indicated.
- e. Location and type of existing and proposed street lighting.
- f. Location of any trees and natural features and whether they are to be preserved.
- g. The location and size of all existing sewers, water mains, culverts and other public or private underground installations within and adjacent to the subdivision.
- h. Location, widths and names of all existing and proposed streets, sidewalks, railroads, power lines, telephone lines within or adjacent to the proposed subdivision.
- i. The grade and curve radii of curves of existing and proposed streets within the plat boundary and within 300 feet of the subdivision.
- j. The layout and dimensions of existing and proposed street and alley rights-of-way, utility and access easements and lots and blocks.
- k. The location of other significant features such as city limits, section lines and section corners.
- l. Existing and proposed survey and elevation monuments.

G. Planned Residential Developments.

1. Front and side elevations, and exterior architectural treatments.
2. Program for development including estimated staging or timing of development, including build-out data to be submitted to the city and to the applicable school district for each year during the construction period.
3. Proposed ownership pattern upon completion of development.
4. Basic content of restrictive covenants.
5. Provisions to assure permanence and maintenance of common open space through homeowner's association formation, condominium development or other means acceptable to the city.
6. Statement describing the relationship of the proposed planned residential development to the Yelm comprehensive plan.

H. Conceptual Master Planned Communities.

1. The acreage contained within the proposed master plan area, the number of dwelling units proposed, and the number of dwelling units per acre of land proposed.
2. The total acreage of nonresidential uses proposed, by type of use.
3. Applicable school district(s), fire district(s) or departments and other special purpose districts.
4. General description of options for source(s) of water supply, method(s) of sewage disposal, methods of stormwater control and means to handle hazardous materials and hazardous waste if applicable.

5. Conceptual plan and supporting maps. Generalized proposed land uses including:

- a. Potential uses.
- b. Range of densities and housing types.
- c. Phasing of development.

6. Multimodal transportation plans, with proposed major routes, points of ingress and egress and the relation to existing and proposed area transportation facilities.

7. Existing site conditions including watercourses, wetland area, floodplains, unique natural features, forest cover, steep slopes and elevation contours of appropriate intervals to indicate the topography of the entire tract for a reasonable distance beyond the boundaries of the proposed development to include adjacent or nearby lands where project impacts are relevant.

I. Final Master Planned Community.

1. The acreage contained within the proposed master plan; the total number of dwelling units being proposed; and the average number of dwelling units per acre of land.
2. The number and acreage of each type of dwelling units proposed.
3. The acreage of open space (including a separate figure for active recreation space) to be contained in the master plan, and the percentage it represents of the total area.
4. The total acreage of each type of nonresidential use, including the approximate floor area and type of commercial and industrial uses.
5. The source of water supply, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
6. The method of sewage disposal, to include the name of sewer operator, if any, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
7. A plan for hazardous waste control if appropriate, including the specific type of facilities involved, their capacities and the estimated timing of completion of these facilities.
8. Applicable school district(s), fire district(s) or department(s) and other special purpose districts.
9. A development schedule indicating the approximate date when construction of the master plan or stages of the master plan can be expected to begin and be completed, including the approximate size in acres of each phase, and the proposed phasing of construction of public improvements and recreational and common open space areas.
10. The proposed means of financing and allocation of responsibility for providing the utilities and services required as a result of the development, including off-site facilities and improvements. These utilities and services shall include, but not be limited to, water, sewer, streets and highways, schools, fire protection, parks, stormwater control and disposal of wastes, including toxic wastes, if any.
11. The means of meeting any other requirements imposed as a condition of conceptual approval of the master plan.

J. Mixed Use Development.

1. A written statement providing the following information:
 - a. Program for development including staging or timing.

- b. Proposed ownership pattern upon completion of development.
- c. Basic content of restrictive covenants, if any.
- d. Provision to assure permanence and maintenance of open space through means acceptable to the city.
- e. Statement of tabulation of number of persons to be employed, served or housed in the proposed development.
- f. Statement describing the relationship of the proposed development to Yelm's comprehensive land use plan.
- g. Statement indicating availability of existing or proposed sanitary sewers.
- h. Land use and architectural guidelines to be used by the city and the associated architectural review authority to apply to future buildings.

K. Final Subdivisions, Short Subdivisions, Administrative Subdivisions, Subdivision Alterations, and Binding Site Plans.

1. Each application for a final land division shall contain the following information. Specific items may be waived by the community development department if deemed such information to be irrelevant or not applicable to a particular application.

- a. Names, addresses and phone numbers of the owner, applicant, engineer and/or surveyor.
- b. A copy of any deed restrictions to be applicable to the subdivision.
- c. A copy of any separate dedication documents.
- d. Documentation of acreage to the nearest hundredth of each lot of one acre or more and square footage of each lot of less than one acre, and mathematical boundary closure of the subdivision, of each lot and block, of street centerlines, showing the error of closure, if any.
- e. A map on one or more sheets with, at minimum, the following content:
 - i. The date, scale, north arrow and legend.
 - ii. Controlling topography and existing features such as streams, streets and railroads.
 - iii. Legal description of the subdivision boundaries.
 - iv. A complete survey of the section or sections in which the subdivision is located, or as much thereof as may be necessary to properly orient the plat within such section or sections, including reference points and lines of existing surveys identified that relate to the plat including:
 - (A) All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision. If a section breakdown is required to determine the boundaries of the subdivision, such section breakdown shall be shown. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed subdivision. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title division.
 - (B) Adjoining corners of adjoining lots, blocks, and subdivisions.
 - (C) Section and donation land claim lines within and adjacent to the subdivision.
 - (D) The exact location and width of streets and easements intersecting the boundary of the tract.

(E) Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs or central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.

(F) The width and location of existing easements and rights-of-way and of easements and rights-of-way being dedicated.

f. Prominent lot and block numbers beginning with number "1" and numbered consecutively without omission or duplication in a given block or subdivision and so placed as not to obscure any figure. Block numbering shall be a continuation of blocks in any contiguous subdivision of the same name.

g. Land parcels to be dedicated to any public or private purpose shall be distinguished from lots intended for general development.

h. Net acreage to the nearest hundredth of lots containing one acre or more.

2. The land division map shall include the following statements, which may be combined where appropriate:

a. Approval signature blocks for the city, to include the mayor, attested by the city clerk, the public works director and the community development director, except short subdivision maps do not require mayor signature.

b. An acknowledgment before the auditor or another officer who is authorized by law to take acknowledgment of deeds by the person filing the plat or a certificate of the acknowledgment annexed to such plat and recorded therewith.

c. A certificate of consent to the preparation and recording of the plat with the acknowledged signature of all parties with any record title interest in the land being subdivided.

d. A certificate dedicating all parcels of land shown on the final map intended for any public use with the acknowledged signature of all owners of the subdivision.

e. A certificate with the seal of and signature of the surveyor responsible for the survey and final plat.

f. Certification from the county treasurer that all taxes and assessments for which the property may be liable have been duly paid, satisfied or discharged as of the date of certification.

g. Certification of examination and approval by the county assessor.

h. Certification of title by a title insurance company, dated not more than 30 days prior to final plat application, with the names of all persons whose consent is necessary to effectively dedicate proposed streets and other easements.

3. All final subdivision maps shall be drawn in accordance with the following standards:

a. The final map shall be clearly and legibly drawn in permanent black ink.

b. The scale of the map shall be one inch equals either 50, 100, 200, or 400 feet; the appropriate scale to be determined on the basis of the area of the subdivision.

c. Lettering shall be at least 3/32 of an inch high.

d. The perimeter of the plat or subdivision being recorded shall be depicted with heavy lines wider than the remaining portion of the plat of the subdivision.

e. The size of each sheet shall be 18 by 24 inches.

f. A margin line shall be drawn completely around each sheet leaving an entirely blank margin of at least three inches on the left side and at least one-half inch on each of the other three sides.

g. If more than two sheets are used, provide an index of the entire subdivision showing the arrangement of all sheets. Each sheet shall be numbered.

h. The plat title, date, scale, quarter-quarter section and north arrow shall be shown on each appropriate sheet of the final plat.

i. All signatures placed on the final plat shall be original signatures written in permanent black ink.

4. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor of the state of Washington who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

5. Permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The public works director shall determine the number and location of permanent control monuments within the plat, if any. The type of monument will conform to the standards adopted by the city council.

L. Special Use Permit for Secure Community Transition Facility.

1. The applicant shall submit the following plans and notification procedures as part of the application. These plans and notification procedures shall be forwarded to the Yelm police department for review and recommendation to the hearing examiner.

a. The staffing and security plan for the proposed secure community transition facility.

b. An escape search plan and procedures for immediate public notification of escapes. (Ord. 995 § 12 (Exh. A), 2015).

Chapter 18.31

LOW-DENSITY RESIDENTIAL DISTRICT (R-4)

Sections:

- 18.31.010 Intent.
- 18.31.020 Permitted uses.
- 18.31.030 Special uses.
- 18.31.040 Standards specific to the R-4 district.

18.31.010 Intent.

It is the intent of this chapter to enhance and guide development in single-family residential areas. (Ord. 995 § 12 (Exh. A), 2015).

18.31.020 Permitted uses.

The following uses are allowed within the low-density residential zoning district, subject to the project approvals and design standards of the Unified Development Code:

- A. Single-family residential units;
- B. Duplexes;
- C. Secondary dwelling units;
- D. Townhouses;
- E. Planned residential development;
- F. Residential care facilities;
- G. Home occupations;
- H. Family home child care providers;
- I. Attached and co-located wireless facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.31.030 Special uses.

The following uses are allowed within the low-density residential zoning district, subject to the special use permit process and design standards of the Unified Development Code:

- A. Child day-care centers and nurseries;
- B. Preschools;
- C. Cemeteries;
- D. Funeral homes;
- E. Convalescent care facilities;
- F. Assisted living facilities;
- G. Congregate care facilities;
- H. Senior centers;
- I. Bed and breakfast/transient lodging places;

J. Essential public facilities;

K. Freestanding wireless communication facilities;

L. Churches and places of worship. (Ord. 1022 § 4, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.31.040 Standards specific to the R-4 district.

A. Allowed Density. Four dwelling units per acre; provided, that ~~on existing lots one acre or less~~, duplexes are allowed at a density of one duplex per one-third acre (14,520 square feet). Density bonus available for townhouse and planned residential developments.

B. Minimum Lot Area. There is no minimum lot area.

C. Minimum Front Yard Setback.

1. Fifteen feet from a local access street.
2. Twenty-five feet from a collector street.
3. Thirty-five feet from an arterial street.

D. Minimum side yard setback: five feet.

E. Minimum flanking yard setback: 15 feet.

F. Minimum rear yard setback: 25 feet.

G. Minimum driveway approach: 20 feet.

H. Maximum Building Heights.

1. Main building: 35 feet.
2. Accessory building: ~~25~~6 feet.

I. Accessory Buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than 120 square feet square feet, and less than 10 feet in height, the side and rear yard setbacks do not apply.

J. Secondary Dwelling Units. One secondary dwelling unit may be created on a single-family lot.

1. For lots of record under one acre such conversion or addition shall not exceed 1,000 square feet.
2. For lots of record of one acre or more such conversion or addition shall not exceed 1,500 square feet.

K. Townhouse Development.

1. The minimum parcel size shall be ~~one two~~ acres or larger. Parcels shall provide a mix of townhouses and single-family detached units, with no less than 50 percent of the units being single-family dwellings. (Ord. 995 § 12 (Exh. A), 2015).

Chapter 18.32

MODERATE-DENSITY RESIDENTIAL (R-6)

Sections:

- 18.32.010 Intent.
- 18.32.020 Permitted uses.
- 18.32.030 Special uses.
- 18.32.040 Standards specific to the R-6 district.

18.32.010 Intent.

It is the intent of this chapter to enhance and guide development of moderate density, and to provide for a greater variety of housing types. (Ord. 995 § 12 (Exh. A), 2015).

18.32.020 Permitted uses.

The following uses are allowed within the moderate-density residential zoning district, subject to the project approvals and design standards of the Unified Development Code:

- A. Single-family residential units;
- B. Duplexes;
- C. Multifamily dwellings;
- D. Townhouses;
- E. Manufactured housing communities;
- F. Planned residential development;
- G. Secondary dwelling units;
- H. Residential care facilities;
- I. Home occupations;
- J. Family home child care providers;
- K. Attached and co-located wireless facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.32.030 Special uses.

The following uses are allowed within the moderate-density residential zoning district, subject to the special use permit process and design standards of the Unified Development Code:

- A. Child day-care centers and nurseries;
- B. Preschools;
- C. Cemeteries;
- D. Funeral homes;
- E. Convalescent care facilities;
- F. Assisted living facilities;
- G. Congregate care facilities;

H. Senior centers;

I. Bed and breakfast lodging places;

J. Essential public facilities;

K. Freestanding wireless communication facilities;

L. Churches and places of worship. (Ord. 1022 § 5, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.32.040 Standards specific to the R-6 district.

A. Allowed Density. Not less than three and not more than six dwelling units per acre. Density bonus available for townhouse and planned residential developments.

B. Minimum Lot Area. There is no minimum lot area.

C. Minimum Front Yard Setback.

1. Fifteen feet from a local access street.
2. Twenty-five feet from a collector street.
3. Thirty-five feet from an arterial street.

D. Minimum side yard setback: five feet.

E. Minimum flanking yard setback: 15 feet.

F. Minimum rear yard setback: 25 feet.

G. Minimum driveway approach: 20 feet.

H. Maximum Building Heights.

1. Main building: 35 feet.
2. Accessory building: ~~25~~16 feet.

I. Accessory Buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than 120 square feet square feet, and less than 10 feet in height, the side and rear yard setbacks do not apply.

J. Secondary Dwelling Units. One secondary dwelling unit may be created on a single-family lot.

1. For lots of record under one acre such conversion or addition shall not exceed 1,000 square feet.
2. For lots of record of one acre or more such conversion or addition shall not exceed 1,500 square feet. Such conversion or addition shall be subject to the availability of public utilities, and shall comply with all rules and regulations of the building, plumbing, fire and other applicable codes.

K. Townhouse Development.

1. The maximum parcel size for a townhouse development is onefive acres.

L. Manufactured Housing Community.

1. The parcel size shall be a minimum of three acres, with a maximum of 15 acres. (Ord. 995 § 12 (Exh. A), 2015).

Chapter 18.33

HIGH-DENSITY RESIDENTIAL DISTRICT (R-16)

Sections:

- 18.33.010 Intent.
- 18.33.020 Permitted uses.
- 18.33.030 Special uses.
- 18.33.040 Standards specific to the R-16 district.

18.33.010 Intent.

It is the intent of this chapter to make high-density residential developments available to those persons who may prefer such housing because of personal or financial circumstances and preserve within those developments open space and related amenities. (Ord. 995 § 12 (Exh. A), 2015).

18.33.020 Permitted uses.

~~A. Single family residential units;~~

~~A~~B. Duplexes;

~~B~~C. Townhouses;

~~C~~D. Multifamily dwellings;

~~E. Manufactured housing community;~~

~~F. Secondary dwelling units;~~

~~D~~G. Planned residential development;

~~E~~H. Residential care facilities;

~~F~~I. Home occupations;

~~G~~J. Family home child care providers;

~~H~~K. Attached and co-located wireless facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.33.030 Special uses.

A. Child day-care centers and nurseries;

B. Preschools;

C. Cemeteries;

D. Funeral homes;

E. Convalescent care facilities;

F. Assisted living facilities;

G. Congregate care facilities;

H. Senior centers;

I. Bed and breakfast lodging places;

J. Essential public facilities;

K. Freestanding wireless communication facilities;

L. Churches and places of worship. (Ord. 1022 § 6, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.33.040 Standards specific to the R-16 district.

A. Allowed Density:

~~1.~~ Not less than eight and not more than 16 dwelling units per acre. Density bonus available for townhouse and planned residential developments.

B. Minimum Lot Area. There is no minimum lot area.

C. Minimum Front Yard Setback.

1. Fifteen feet from a local access street.
2. Twenty-five feet from a collector street.
3. Thirty-five feet from an arterial street.

D. Minimum side yard setback: 10 feet.

E. Minimum flanking yard setback: 20 feet.

F. Minimum rear yard setback: 25 feet.

G. Minimum driveway approach: 25 feet.

H. Maximum Building Heights.

1. ~~Within 100 feet of a lower density residential zone: 25 feet.~~
2. ~~All other residential buildings: 35 feet or three stories, whichever is lesser.~~
3. Accessory building: 35 feet.

I. Accessory Buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than 120 square feet square feet, and less than 10 feet in height, the side and rear yard setbacks do not apply.

~~J. Secondary Dwelling Units. One secondary dwelling unit may be created on a single family lot.~~

1. ~~For lots of record under one acre such conversion or addition shall not exceed 1,000 square feet.~~
2. ~~For lots of record of one acre or more such conversion or addition shall not exceed 1,500 square feet. Such conversion or addition shall be subject to the availability of public utilities, and shall comply with all rules and regulations of the building, plumbing, fire and other applicable codes.~~

~~J~~**K. Townhouse Development.**

1. The maximum parcel size for townhouse development shall be no more than ~~240~~ acres.

~~L. Manufactured Housing Community.~~

1. ~~The parcel size shall be a minimum of three acres, with a maximum of 15 acres.~~
2. ~~Maximum density shall be six units per acre. (Ord. 995 § 12 (Exh. A), 2015).~~

Chapter 18.35

CENTRAL BUSINESS DISTRICT (CBD)

Sections:

- 18.35.010 Intent.
- 18.35.020 Permitted uses.
- 18.35.030 Special uses.
- 18.35.040 Standards specific to the CBD district.

18.35.010 Intent.

The purpose of the central business district is to promote the special characteristics of the existing downtown Yelm area, to provide a pedestrian shopping atmosphere and to promote the rehabilitation of existing structures and the most desirable uses of land. (Ord. 995 § 12 (Exh. A), 2015).

18.35.020 Permitted uses.

- A. Retail establishments;
- B. Service oriented establishments;
- C. Apartments;
- D. Residential uses are allowed provided the development occurs on existing lots of record, one acre or less;
- E. Public safety and emergency response facilities, including police and fire stations, emergency medical centers, and hospitals;
- F. Attached and co-location wireless communication facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.35.030 Special uses.

- A. Child day-care centers and nurseries;
- B. Preschools;
- C. Cemeteries;
- D. Funeral homes;
- E. Convalescent care facilities;
- F. Assisted living facilities;
- G. Congregate care facilities;
- H. Senior centers;
- I. Essential public facilities;
- J. Freestanding wireless communication facilities;
- K. Churches and places of worship. (Ord. 1022 § 7, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.35.040 Standards specific to the CBD district.

- A. Drive-through food establishments and services are prohibited.
- B. Allowed residential density: 16 dwelling units per acre, ~~subject to R-16 development standards.~~

C. Minimum Lot Area. There is no minimum lot area.

D. Minimum Front Yard Setback.

1. Residential.

a. Fifteen feet from a local access street.

b. Twenty-five feet from a collector street.

c. Thirty-five feet from an arterial street.

2. All Other Uses. Structures shall be located so as to provide continuity with existing streets, alleys, sidewalks, and bikeways.

E. Minimum Side Yard Setback.

1. Single Family Residential: 5 feet side yard and 15 feet flanking yard

2. Multi-family Residential 10 feet side yard and 20 feet from any flanking street.

3.2. All Other Uses. Structures shall be located so as to provide continuity with existing streets, alleys, sidewalks, and bikeways.

F. Minimum Rear Yard Setback.

1. Residential: 25 feet.

2. Secondary Dwelling Units: 5 feet.

3.2. All Other Uses. Structures shall be located so as to provide continuity with existing streets, alleys, sidewalks, and bikeways.

G. Minimum Driveway Approach.

1. Residential: 20 feet.

2. All Other Uses. Structures shall be located so as to provide continuity with existing streets, alleys, sidewalks, and bikeways.

H. Maximum building heights: 35 feet.

I. Maximum floor area: 20,000 square feet per floor.

J. Secondary Dwelling Units. One secondary dwelling unit may be created on an existing parcel, one acre or less, where such conversion or addition shall not exceed 1,000 square feet.

K. Parking. Minimum parking requirements may be waived where on-site parking is unachievable, and on-street parking is available. Angled parking is allowed on local access and collector streets within the central business district.

L. Properties fronting on a “pedestrian oriented street” shall include:

1. Paved pedestrian walkway from the street corner to the building entrance.

2. Transparent window area or window displays along at least 50 percent of the length of the ground floor facade.

3. Sculptural, mosaic or bas relief artwork over 50 percent of the length of the ground floor facade.

4. "Pedestrian oriented space," located adjacent to the sidewalk. At least 500 square feet of pedestrian oriented space must be provided for every 100 linear feet of facade as measured along the property lines adjacent to the street right-of-way.
5. Other special landscaping or building design feature approved by the city.
6. Building entries must have direct access to the public sidewalk.
7. No more than 50 percent of the street frontage measured parallel to the curb may be occupied by parking and/or vehicle access.
8. For properties fronting on two or more pedestrian oriented streets, parking may be located on one of the streets; provided, that a building or pedestrian oriented space is situated between the parking and the street corner.

M.L. In addition to site planning measures above, provide at least two of the following pedestrian amenities near the sidewalk:

1. Pedestrian furniture, such as seating, lighting, drinking fountain, etc.
2. Pedestrian weather protection at least three feet wide along at least 80 percent of the building's street front face. The weather protection may be in the form of awnings, marquees, canopies or building overhangs; provided, that canopies or awnings not extend above 15 feet above the ground elevation at the highest point nor lower than eight feet at the lowest point.
3. Pedestrian oriented open space.
4. Substantial perimeter landscaping.
5. Artwork.
6. Transit stop with seating.
7. Window displays over the majority of the front facade.
8. Decorative screen wall, trellis, or other building or site feature.
9. Pedestrian lighting.

N.M. Architecturally accentuate building corners at street intersections. All new buildings located on properties at the intersection of two public streets shall apply one or more of the following design elements:

1. At least 100 square feet of sidewalk or pedestrian oriented open space in addition to required building setback.
2. Corner entrance to courtyard, building lobby, atrium or pedestrian pathway.
3. Corner architectural elements such as bay windows, roof deck or balconies on upper stories, notched or curved facade surfaces.
4. Sculpture or artwork or distinctive use of materials.
5. Special treatment of pedestrian weather protection canopy.
6. Building corner entry.

O.N. Building Design. Building shell colors shall be earth tones such as taupe, brown, red-brown, buff, gray, cream, white, natural wood, brick, or stone. Trim should be white, black, dark blue, dark green, dark teal, dark red, or other deep saturated colors. Bright accent colors should not cover more than 10 percent of any building facade.

Stucco must not be treated in a sculptural manner with curved surfaces or relief patterns. Stucco surfaces should be trimmed with wood, brick, or masonry or in a way that protects them from the weather. (Ord. 995 § 12 (Exh. A), 2015).

DRAFT

Chapter 18.54

OFF-STREET PARKING

Sections:

- 18.54.010 Intent.
- 18.54.020 General requirements.
- 18.54.030 Minimum requirements.
- 18.54.040 Mixed occupancies.
- 18.54.050 Off-street loading.
- 18.54.060 Incentives for reducing the number of parking stalls.
- 18.54.070 Development standards.

18.54.010 Intent.

It is the intent of this chapter to:

- A. Assure that space is provided for the parking, loading and unloading of motor vehicles on the site of premises or uses which attract said motor vehicles;
- B. Provide minimum standards of space and parking arrangements, and for the movement of motor vehicles into and out of such spaces;
- C. Avoid or reduce traffic congestion on public streets by:
 - 1. Keeping the need for on-street parking to a minimum, and
 - 2. Controlling access to sites;
- D. Enhance safety for pedestrians and motor vehicle operators; and
- E. Encourage the creation of an aesthetically pleasing and functionally adequate system of off-street parking and loading facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.54.020 General requirements.

- A. Off-street parking spaces and driveways shall not be used at any time for purposes other than their intended use, i.e., the temporary storage of motor vehicles used by persons visiting or having business to conduct on the premises for which the parking is provided.
- B. Minimum parking space required and intended for use by occupants or users of specific premises shall not be leased or rented to others, nor shall such space be made unavailable through other means to the users for whom the parking spaces are intended. This, however, does not preclude shared parking arrangements.
- C. Whenever a building or a piece of land is put to a use different from the immediately preceding use, or when a building is remodeled, reconstructed or expanded, adequate off-street parking shall be provided consistent with the new use, reconstruction or expansion of the premises.
- D. Consideration from the site plan review committee should be given as to the requirements and standards for off-street parking as they pertain to the central business district.
- E. Off-street parking facilities shall be located as hereinafter specified; where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.
- F. For a single-family dwelling or multifamily dwellings, the parking facilities shall be located on the same lot or building site as the building they are required to serve.

G. For churches located in any zones, parking facilities shall be located on the site; consideration may be given to parking facilities located not farther than 150 feet from the building.

H. For hospitals, sanitariums, homes for the aged, asylums, orphanages, rooming houses, lodging houses, nursing and convalescent homes, community clubs and club rooms, parking facilities shall be located not farther than 150 feet from the facility.

I. For uses other than those specified, parking facilities shall be located not farther than 300 feet from the facility.

J. Handicapped parking shall meet the guidelines of the International Building Code as adopted in Chapter 18.23 YMC.

K. Exceptions or modifications to the provisions of this chapter shall be processed as a variance application. (Ord. 995 § 12 (Exh. A), 2015).

18.54.030 Minimum requirements.

The requirements for off-street parking and loading facilities and their design shall be regarded as the minimum; however, the owner, developer or operator of the premises for which the parking facilities are intended shall be responsible for providing adequate amounts and arrangement of space for the particular premises even though such space or its arrangement is in excess of the minimum set forth in this chapter.

For special uses, the parking requirement shall be as provided in that chapter or as determined by the site plan review committee.

A. A-Residential Uses.

| <u>Type of Use</u> | <u>Minimum Parking Requirements</u> |
|--|--|
| <u>Single Family</u> | <u>Two per dwelling unit</u> |
| <u>Accessory Dwelling Unit</u> | <u>One per dwelling unit.</u> |
| <u>Duplexes & Multi-family Units up to 4 Units</u> | <u>Two per dwelling Unit</u> |
| <u>Multi-family over 4 Units</u> | <u>One space for studio apartments</u> <u>One and one-half spaces per 1 – 2 bedroom dwelling unit</u> <u>Two spaces per 3+ bedroom dwelling units</u> <u>Plus one guest space for every 10 units.</u> |
| <u>Multi-family constructed along major transit routes</u> | <u>One space for studio and 1 bedroom apartments</u> <u>One and one-half spaces pre 2+ bedroom dwelling units</u> |

~~1. —Single family, duplexes and multifamily dwellings require two parking spaces per dwelling unit.~~

Housing intended for exclusive use of, and occupied by, senior citizens shall provide one space for every three dwelling units plus two-tenths space per dwelling unit in buildings containing five or more dwelling units. Housing in which the dwelling units are characterized by one room enclosing all activities (sometimes referred to as “bachelor” or “efficiency” units) shall provide one and one-half parking spaces for each dwelling unit, plus two-tenths space per dwelling unit in buildings containing five or more dwelling units.

B. Commercial Uses. In the several commercial districts, off-street parking requirements shall be as shown herein; provided, that all of the property is controlled by a single person or corporation, or written agreements for shared parking, acceptable to the city, are filed with the community development department. Shared parking agreements are acceptable only if the physical relationship between the premises makes such sharing possible and results in superior design in terms of layout, access, reduced curb cuts and the like.

In the following list, the parking requirements for specific uses listed shall be determined through a formula of one stall per number of gross floor area (GFA), or as specified.

| <u>Type of Use</u> | <u>Minimum Parking Requirements</u> |
|--|-------------------------------------|
| Banks, saving and loan associations, business and professional offices | One per 300 sq. ft. of GFA. |
| Retail establishments, including grocery stores | One per 250 sq. ft. of GFA. |

| Type of Use | Minimum Parking Requirements |
|---|---|
| Establishments for the sale and consumption of food and beverages, including fraternal and social clubs | One per 200 sq. ft. of GFA. |
| Boarding, lodging or rooming houses | One and one-half for each sleeping room. |
| Institutions, sanitariums and long-term facilities | One for each two beds, plus one per employee based on the greatest number of care employees on a single shift. |
| Churches, mortuaries or funeral homes | One for six seats in the principal place of assembly or worship, including balconies and choir loft. |
| Hospitals | One for each bed, plus one per employee based on the greatest number of employees on a single shift. |
| Libraries and museums | One for each eight occupants, based on maximum occupants per the International Building Code. |
| Medical or dental clinics | One and one-half per patient treatment room/area, plus one space per employee based on the greatest number of employees on a single shift. |
| Motels, hotels | One for each unit, plus one per employee based on the greatest number of employees on a single shift. |
| Motor vehicle or machinery sales, wholesale stores, furniture stores | One for each 400 sq. ft. of GFA. |
| Schools: | |
| High schools | One for each four students that enrolled and are of legal driving age, plus one per classroom and office. Public assembly areas, such as auditoriums, stadiums etc., which are primary uses, shall be considered a separate use in determining parking. |
| Elementary and junior high schools | One for each 10 students of design capacity. |
| Places of assembly without fixed seats, e.g., stadiums, auditoriums, and churches | One for each 10 occupants, based on the maximum occupant load per the International Building Code. |
| Assembly areas, less-concentrated use, e.g., conference rooms and gymnasiums | One for each 10 occupants, based on the maximum occupant load per the International Building Code. |
| Theaters | One for each six seats. |

C. General Industrial Uses.

1. One space per employee based on the greatest number of employees on a single shift, plus
2. One square foot parking per square foot of display or retail area, plus
3. One space for each vehicle owned, leased or operated by the company.

D. Specific Industrial Uses. Warehouses require one space per 1,000 square feet GFA, plus one space per 400 square feet of GFA used for office or display.

Off-street parking requirements for uses similar or related to, or any use not specifically listed above, shall be determined by the site plan review committee on the basis of the requirement for similar uses, and on the basis of evidence of actual demand created for similar or related uses in Yelm, and such other traffic engineering or planning data as may be available and appropriate for the establishment of minimum and maximum parking requirements. (Ord. 995 § 12 (Exh. A), 2015).

18.54.040 Mixed occupancies.

In the case of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereafter specified in incentives for reducing the number of parking stalls, YMC 18.54.060. (Ord. 995 § 12 (Exh. A), 2015).

18.54.050 Off-street loading.

Off-street loading shall be required for all commercial establishments which are engaged in the retailing or wholesaling of merchandise requiring regular delivery such as food retailers, lumber yards, hardware stores, department stores and the like.

| Total Gross Floor Area of Building(s) | Space Required |
|--|----------------|
| Less than 5,000 sq. ft. | One |
| 5,000 sq. ft. to 25,000 sq. ft. | Two |
| 25,000 sq. ft. to 50,000 sq. ft. | Three |
| Each additional 50,000 sq. ft. or fraction thereof in excess of 25,000 sq. ft. | One additional |

All off-street loading and unloading spaces shall be of adequate size and with adequate access thereto to accommodate a vehicle 45 feet in length, 12 feet in width and 14 feet in height. Each loading space shall be surfaced with an asphalt, concrete or similar pavement so as to provide a surface that is durable and dust-free and shall be so graded and drained as to properly dispose of all surface water, and shall, moreover, comply with Yelm Engineering Specifications and Standard Details.

Any floor area provided by additions to or structural alterations to a building shall be provided with loading space or spaces as set forth herein whether or not loading spaces have been provided for the original floor space. (Ord. 995 § 12 (Exh. A), 2015).

18.54.060 Incentives for reducing the number of parking stalls.

The city may allow the overall parking ratio (stalls/floor area, people or employees) to be reduced for buildings of 5,000 square feet or more, provided such reductions are consistent with the intent of this chapter. Reduction in parking areas may include any combination of incentives; provided, that the overall reduction does not exceed 25 percent of the minimum area required by YMC 18.54.030. Reductions in parking requirements may occur pursuant to, but are not limited to, the following guidelines:

A. A reduction of the required parking is possible with coordinated design and shared access to consolidated parking areas linked by pedestrian walkways.

B. Multiple parcels, under separate ownership, shall be treated as a single development site if all owners agree. Where adjoining parking facilities of two or more ownerships are developed and designed as one parking facility, a reduction of up to 15 percent of the total combined required parking spaces may be permitted.

C. In a mixed use development a reduction of the required parking is possible if, through a quantified parking demand analysis, it can be demonstrated that parking requirements for the highest and best uses occur at offsetting peak times.

D. Primary night-time uses such as theaters and bowling alleys may receive up to a 50 percent reduction in providing the required number of parking stalls if:

1. A lease for the equivalent parking stall reduction is obtained from a primary day-time user such as a bank, office or retail store;
2. Leased parking is within 300 feet of the associated use, as long as a pedestrian walkway exists or is provided between parking area and use.

E. Two or more uses may share a parking area or garage if:

1. The continuation of joint or shared facilities shall be assured by a sufficient legal document such as a covenant or reciprocal easement agreement or recorded covenant on the approved site plan or by participation in a local improvement district.

2. Off-site leasing of parking areas may be utilized to meet the required ratio of parking for the proposed use; provided, that the leased parking is within 300 feet of the proposed use, as long as a pedestrian walkway exists or is provided between parking area and use.

F. Alternative programs that may be considered by the site plan review committee under this section include, but are not limited to the following:

1. Private vanpool operation;
2. Transit/vanpool fare subsidy;
3. Imposition and maintenance of a charge for parking;
4. Provision of subscription bus services;
5. Flexible work hour schedule;
6. Capital improvements for transit services;
7. Preferential parking for carpools/vanpools;
8. Participation in the ride-matching program;
9. Reduction of parking fees for carpools and vanpools;
10. Establishment of a transportation coordinator position to implement carpool, vanpool and transit programs;
11. Bicycle parking facilities. (Ord. 995 § 12 (Exh. A), 2015).

18.54.070 Development standards.

Parking area design shall include:

A. Internal circulation of the lot shall be so designed as to minimize in-and-out driving time, idling time, time spent looking for a parking space without reentering adjoining public streets.

B. Off-street parking areas shall be designed to provide for the safe and convenient circulation of pedestrians and vehicle traffic within the parking area and between the parking area and adjacent streets.

C. Provide access roads through large lots with more than one street frontage.

D. Provide shared parking facilities between adjacent compatible land uses.

E. Convenient, marked pedestrian access shall be provided from parking areas to pedestrian linkage systems and from parking areas to principal uses.

F. Except as approved by the site plan review committee in specified locations within the central business district, in all commercial and industrial developments, and in all residential buildings containing five or more dwelling units, parking areas shall be so arranged as to make it unnecessary for a vehicle to back out into any street or public right-of-way.

G. Adequate provision shall be made for individual ingress and egress by vehicles to all parking stalls at all times by means of unobstructed maneuvering aisles. Maneuvering aisles, parking stall dimensions and requirements shall be as shown in the Yelm Engineering Specifications and Standard Details.

H. In all parking facilities containing 25 or more parking spaces, a maximum of 25 percent of the required parking spaces may be reduced in size for the use of small cars, provided these spaces shall be clearly identified with a sign permanently affixed immediately in front of each space containing the notation "Compacts Only." Spaces designed for small cars may be reduced in size as listed in the Yelm Engineering Specifications and Standard Details for minimum parking dimensions. Where feasible, all small car spaces shall be located in one or more contiguous areas

and/or adjacent to ingress/egress points within parking facilities. Location of compact car parking spaces shall not create traffic congestion or impede traffic flows.

I. When off-street parking is provided in the rear of a building and a driveway or lane alongside the building provides access to the rear parking area, such driveway or lane shall be a minimum width of 20 feet with a sidewalk meeting ADA requirements adjoining the building and curbed or raised six inches above the driveway surface.

J. An owner/developer may install the required parking spaces in phases if a phased schedule has been approved by the site plan review committee. This schedule must specifically indicate when the minimum parking requirements of YMC 18.54.030 will be provided. The site plan review committee may permit the use of temporary parking areas with appropriate screening as part of a phasing schedule. In addition, the site plan review committee may require a performance assurance device to ensure conformance with the requirements and intent of Chapter 18.53 YMC.

K. Parking angles may be varied on different aisles within a single parking area to permit more efficient space utilization.

L. Dead-end aisles shall be considered as two-way aisles.

M. Turnaround areas will be required when necessary.

N. All parking areas and driveways must be surrounded by a six-inch-high vertical concrete curb if the lot is visible from the street.

O. All landscaped and pedestrian areas shall be protected from encroachment by parked cars. (Ord. 995 § 12 (Exh. A), 2015).

Chapter 18.64

ZONING OVERLAYS

Sections:

- 18.64.010 Intent.
- 18.64.020 Planned residential development.
- 18.64.040 Mixed use development.
- 18.64.050 Townhouse development.
- 18.64.060 Manufactured homes.

18.64.010 Intent.

It is the intent of this chapter to provide opportunity for greater flexibility in zoning and design requirements, encourage a variety of housing types, encourage infilling of skipped-over parcels in developed areas of the city and to provide for maximum efficiency in the layout of streets, utility networks and other public improvements. (Ord. 995 § 12 (Exh. A), 2015).

18.64.020 Planned residential development.

A planned residential development encourages imaginative design and the creation of permanent open space by preserving or creating environmental amenities superior to those generally found in conventional developments, and by preserving to the greatest possible extent the natural characteristics of the land, including topography, natural vegetation, waterways, and views. For single family residential developments, the inclusion of a variety of housing types such as duplexes or townhomes may qualify for density bonuses listed below.

A. Density Bonus. The city may approve an increase in the dwelling unit density up to:

1. In the low density district, fifteen percent, rounded to the nearest whole number.
2. In the moderate density district, twenty percent, rounded to the nearest whole number.
3. In the high density district, twenty-five percent, rounded to the nearest whole number.

BA. Subdivision Requirements. A planned residential development shall be exempt from the specific design requirements of a standard subdivision, except that when any parcel of land in a planned residential development is intended for individual ownership, sale, or public dedication, procedural and applicable state laws pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.

CB. Relationship of Planned Residential Development Site to Adjacent Areas. The design of a planned residential development shall take into account the relationship of the site to the surrounding areas. The perimeter of the planned residential development shall be designed to minimize undesirable impact of the planned residential development on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the planned residential development.

DE. Buildings may have common walls and, therefore, be built to the property line as in townhouse construction. Wherever buildings are separated, a minimum distance of 10 feet shall be maintained between such buildings.

ED. Landscaping. Natural landscape features which are to be preserved, such as existing trees, drainage ways, rock outcroppings, etc., may be accepted as part of the landscaping plan when such natural features contribute to the attractiveness of the proposed development. (Ord. 995 § 12 (Exh. A), 2015).

18.64.040 Mixed use development.

A mixed use development encourages imaginative design and the creation of open space in development by preserving or creating environmental amenities superior to those generally found in conventional developments and preserves to the greatest possible extent the natural characteristics of the land, encourages development of a variety of housing types, and establishes a method for utilizing potential zoned properties.

A. Exemptions from Certain Provisions.

1. A mixed use development shall be exempt from the specific design requirements of a standard subdivision, except that when any parcel of land in a mixed use development is intended for individual ownership, sale, or public dedication, procedural and applicable state laws pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.

B. Relationship to Adjacent Areas.

1. The design of the mixed use development shall take into account the relationship of the site to the surrounding areas. The perimeter of the mixed use development shall be so designed as to minimize undesirable impact of the mixed use development on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics of the mixed use development.

2. Setbacks from the property line of the mixed use development area shall be comparable to or compatible with those of the existing development of adjacent properties or if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning of such properties and the land use component of the comprehensive plan. (Ord. 995 § 12 (Exh. A), 2015).

18.64.050 Townhouse development.

It is the intent of this section to provide for the development of townhouses within residential neighborhoods which may be conveyed as individually owned, separately platted lots. A townhouse is a one-family dwelling unit which is part of a group of two or more such units separated by common party walls having no doors, windows or other provisions for human passage or visibility through the common walls. Each one-dwelling unit in a townhouse is attached by not more than two party walls.

A. Density Standards and Uses.

1. Density Bonus. The city may approve an increase in the dwelling unit density up to:

1. In the low density district, fifteen percent, rounded to the nearest whole number.

2. In the moderate density district, twenty percent, rounded to the nearest whole number.

3. In the high density district, twenty-five percent, rounded to the nearest whole number.

~~The basic density shall be the same as permitted by the underlying zone.~~

2. A townhouse lot shall contain a minimum area of 1,600 square feet and a minimum lot and building width of 20 feet.

3. No more than four abutting townhouses or townhouse clusters within the townhouse project site shall have a common front building setback. Variations in the setback of front building faces shall be at least four feet.

4. No townhouse dwelling unit shall be located closer than 25 feet to any public right-of-way nor within 15 feet of a private drive, access road or common open parking area to the front or rear of such a dwelling unit.

5. Every lot containing a townhouse must provide a private yard of at least 300 square feet, oriented to either the building front, rear or side, enclosed visually by fences or walls at least five feet in height or plantings to screen first level views from adjacent units.

6. The minimum side yard requirement for end dwelling units in townhouse groups shall be the same as the underlying zone. For all dwelling units other than end dwelling units in subdivided townhouse developments, the common walls shall be designed with zero lot lines.

7. No portion of a townhouse, accessory structure or other building type in or related to one group or cluster of contiguous townhouses shall be nearer than 10 feet to any portion of a townhouse or accessory structure of another townhouse building or cluster.

8. When the only driveway is from the street, each pair of units must share a common curb cut.

9. Conversion of existing structures to a townhouse project will be permitted provided all townhouse development standards as outlined in this section can be satisfied. (Ord. 995 § 12 (Exh. A), 2015).

18.64.060 Manufactured homes.

It is the intent of this section to permit the location of manufactured homes as a permanent form of dwelling unit, to provide standards for the development and use of manufactured homes, and to make a distinction between manufactured home communities and manufactured home subdivisions and their characteristics.

A. Manufactured housing units shall comply with the following requirements:

1. Homes shall be set below grade on ribbon-footings and a permanent foundation shall be constructed around the perimeter. No more than 12 inches of the perimeter foundation shall be visible or above the finish grade of the lot.
2. Manufactured housing shall be comparable to site-built housing in the neighborhood within the same zoning district. In general, manufactured homes shall be comprised of at least two fully enclosed parallel sections with a total width of at least 24 feet and a length of at least 36 feet.
3. The age of a manufactured home, as reflected on the title, shall not exceed a maximum of five years at the time of installation.

B. Manufactured housing communities shall comply with the following requirements:

1. The minimum lot size for a manufactured housing community shall not be less than three acres, nor more than 15 acres.
2. Yard setbacks along the perimeter of the property shall be 15 feet from the required buffer.
3. The minimum lot size and width shall be 4,000 square foot lot size average, a minimum 40 feet wide and 80 feet deep.
4. A 10-foot dense sight barrier landscape buffer and six-foot solid wood fence shall be required around the perimeter of the site. The buffer shall be placed along the perimeter property line and the six-foot solid wood fence shall be placed 10 feet inside the perimeter property line.
5. Each manufactured home site shall have access from an interior drive or roadway only.
6. Access to the manufactured housing community shall be limited to not more than one driveway from a public street or road for each 200 feet of frontage.
7. In addition to the parking requirements of Chapter 18.53 YMC, a minimum seven-foot parking on each side of the street or minimum seven-foot parking on one side of the street and a parking area for guests of at least one space for each five homes. Parking areas shall be located in a centralized location(s).
8. No manufactured housing community shall be constructed to block connecting streets shown or proposed as part of the Yelm comprehensive plan.
9. All interior private streets of the community shall have minimum 11-foot drive lanes.
10. Manufactured home communities shall connect with traffic and pedestrian ways on all abutting or connecting streets.
11. All streets, roads and driveways shall be paved to a standard of construction acceptable to the public works department. Interior pedestrian walkways, carports and parking areas shall be paved.
12. A minimum four-foot internal walkway shall connect each space with common areas, internal roads, public streets and parking areas. All walkways must be separated, raised, or protected from vehicular traffic and provide access for handicapped persons.

13. Accessory buildings or structures accessory to the manufactured housing community as a whole, and intended for the use of all manufactured home occupants are permitted, provided the building area not exceed one-fourth of the common open space area. (Ord. 995 § 12 (Exh. A), 2015).

DRAFT

Chapter 18.70

WIRELESS COMMUNICATION FACILITIES

Sections:

- 18.70.010 Intent.
- 18.70.020 Exemptions.
- 18.70.030 Location.
- 18.70.040 Third party technical review.
- 18.70.050 Co-location.
- 18.70.060 Design standards for freestanding WCF towers.
- 18.70.070 Design standards for attached WCFs.
- 18.70.075 Design standards for WCF in public right-of-way
- 18.70.080 Design standards for WCF ground-mounted equipment structures.
- 18.70.090 Maintenance of facilities.
- 18.70.100 Abandonment.
- 18.70.110 Radio frequency standards.

18.70.010 Intent.

It is the intent of this chapter to:

- A. Manage the location of wireless communication facility (WCF) towers and antennas in the city of Yelm. A WCF is a facility for the transmission and/or reception of radio or microwave signals used for commercial communications. A WCF can be either freestanding (equipment mounted on a freestanding support structure), or attached (equipment affixed to or erected upon existing buildings, utility poles, or other existing structures);
- B. Protect residential areas and other land uses from potential adverse impacts of WCFs;
- C. Minimize adverse visual impacts of WCFs through careful design, siting, landscape screening, and innovative camouflaging techniques;
- D. Accommodate an increased need for WCFs to serve the wireless communications needs of city residents;
- E. Promote and encourage co-location on freestanding WCFs as an option rather than construction of additional single-use WCFs, and reduce the number of such structures needed in the future. Co-location means the use of a single support structure and/or site by more than one wireless communications provider;
- F. Consider the public health and safety of WCFs to the extent permitted by federal law; particularly the 1996 Federal Communications Act and regulations promulgated by the Federal Communications Commission (FCC); and
- G. Avoid potential damage to adjacent properties through sound engineering practices and the proper siting of WCFs. (Ord. 995 § 12 (Exh. A), 2015).

18.70.020 Exemptions.

The following are exempt from the provisions of this chapter:

- A. Industrial processing equipment and scientific or medical equipment using frequencies regulated by the Federal Communications Commission (FCC);
- B. Antennas and related equipment that are being stored, shipped, or displayed for sale;
- C. Radar systems for military and civilian communication and navigation;
- D. Wireless radio utilized for temporary emergency communications in the event of a disaster;
- E. Licensed amateur (ham) radio stations;

F. Residential antennas;

G. Satellite dish antennas less than two meters in diameter, including direct to home or business satellite services, when used as an accessory use on a property;

H. Routine maintenance or repair of a WCF and related equipment;

I. Subject to compliance with all other applicable standards of this chapter, a building permit application need not be filed for emergency repair or maintenance of a WCF until 30 days after the completion of such emergency activity;

J. A “cell on wheels” (COW) or other temporary WCF for a maximum of 90 days during an emergency declared by the federal, state, or local government;

K. AM/FM radio and television broadcast facilities or towers.

L. Temporary WCF for coverage of a special event, subject to written approval by the city. WCF is deemed temporary if it is in place for up to one week prior to and after the event.

M. Temporary WCF installed for not more than one hundred eighty days, during repair, replacement, or relocation of an existing WCF or construction of a new WCF. (Ord. 995 § 12 (Exh. A), 2015).

18.70.030 Location.

A. Priority Locations.

1. Place antennas and towers on public property if practical.
2. Place antennas on appropriate rights-of-way and existing structures, such as building, towers, water towers and smokestacks.
3. Place antennas and towers in the industrial (I), large lot commercial (C-3) and heavy commercial (C-2) zoning districts.

B. Secondary Locations.

1. Place antennas and towers in the commercial (C-1), central business district (CBD), and residential districts.

C. Prohibited Locations.

1. WCFs are prohibited on day-care center properties, properties immediately adjacent to day-care centers, public or private schools, properties immediately adjacent to public or private schools.
2. Attached WCFs are prohibited on single- or two-family dwellings.
3. WCFs are prohibited on sites or structures that are on federal, state, or county recognized historic registers.
4. WCFs are prohibited within critical areas and critical area buffers. (Ord. 995 § 12 (Exh. A), 2015).

18.70.040 Third party technical review.

The site plan review committee may require technical review by a third party as part of the permit review process. The selection of the third party expert shall be by mutual agreement by the provider and the site plan review committee. The costs of the technical review shall be borne by the applicant. Based on the results of the expert review, the site plan review committee may require changes to the WCF applicant's submittal. A third party technical review may include, but is not limited to, a review of:

- A. The technical accuracy and completeness of submissions;
- B. The technical applicability of analysis techniques and methodologies;
- C. The validity of conclusions reached by the applicant; and/or

D. Other specific technical issues as identified by the site plan review committee. (Ord. 995 § 12 (Exh. A), 2015).

18.70.050 Co-location.

To minimize adverse visual impacts associated with the proliferation of WCFs, co-location is encouraged. The city may deny an application to construct new facilities if the applicant has not made a diligent effort to mount the facilities on an existing freestanding or attached WCF or other communication tower. At a minimum, this requires an assessment of any existing towers that have the location, as well as the existing or potential height, structural capability and equipment structure area, to serve the applicant's needs, a written request to those tower owners to co-locate on their facilities, and a good faith effort to work with those tower owners to co-locate. (Ord. 995 § 12 (Exh. A), 2015).

18.70.055 Franchise required.

Pursuant to Title 15 YMC, the applicant shall obtain and execute a Franchise agreement granting a non-exclusive right to use public right-of-way. Attachment of WCFs on an existing traffic signal, street light pole, or similar structure shall require written evidence of a license, or other legal right or approval, to use such structure by its owner. In its sole discretion, the city may prohibit or restrict the attachment of WCFs on certain city-owned poles, including without limitation, ornamental street light poles.

18.70.060 Design standards for freestanding WCF towers.

A. Maximum Height.

1. One hundred fifty feet including antennas for WCF towers located in a priority location or 60 feet in a secondary location.
2. Modification to the maximum height may be granted by the approval authority if the applicant can show by clear and convincing evidence that the additional height is necessary to provide adequate service to the residents of the city and no other alternative with lesser impacts is available.

B. Setbacks. The setback shall be measured from the base of the WCF tower to the property line of the parcel on which it is located.

1. One hundred ten percent of tower height, including antennas.
2. A maximum 50 percent reduction to the setbacks may be granted by the approval authority, in a priority location only, if the WCF is built to a minimum wind stagnation pressure of 100 miles per hour, and an exposure and gust coefficient factor of C as listed in Tables 16-F and 16-G of the 1997 Uniform Building Code, as amended.
3. Further reduction to a minimum setback of 50 feet may be granted by the approval authority, in a priority location only, if the applicant can demonstrate that without adding more than minimal screening the alternate location is substantially screened on all sides by existing vegetation, buildings or topography, or that such location better preserves view corridors for adjacent property owners and the public.

C. Co-location. All freestanding WCF towers shall be designed and constructed to fully accommodate at least two additional WCF providers, including an area for each co-locator's equipment near the base of the tower, each comparable in size to the area required by the applicant, unless the applicant demonstrates why such design is not feasible for technical or physical reasons.

D. Separation.

1. Freestanding WCF towers shall be a minimum of 1,400 feet from another freestanding WCF tower or other communication tower.
2. Separation distances shall be measured from tower to tower regardless of property lines and roadways.
3. The separation may be reduced by up to 50 percent under the following circumstances:

- a. Where the proposed freestanding WCF and an existing freestanding WCF or other communication tower are within a priority location;
- b. Where the proposed freestanding WCF and an existing freestanding WCF or other communication tower are within substantially different view corridors as determined by the approval authority; or
- c. Where it is clearly demonstrated by the applicant that from a technical standpoint a reduced separation is necessary.

4. Freestanding WCFs may be clustered within all industrial districts so long as all WCFs within the cluster are more than 500 feet from residential zoning districts and any property with an existing residence.

E. Siting and Screening.

1. Siting. Significant visual impacts of a WCF, from the front and rear of any residence on adjacent properties and for any residence across the roadway from the WCF, shall be minimized to the maximum extent feasible through careful siting. At no time shall a WCF be attached to a tree; or to use any tree to attach any metal guy or cable supporting any attached antenna.

2. Color. WCF towers and antennas shall have a nonglare finish in a gray, blue, green or other color to blend with the surroundings or horizon unless a different color is required by the FCC or FAA. The finish must be approved by the approval authority.

3. Screening. If the area within 50 feet of the site perimeter is treed such that substantial year-round screening of the WCF site is provided, as determined by the approval authority, prior to the issuance of building permits, the applicant shall cause an easement signed by the property owner to be recorded with the county auditor establishing a tree retention buffer. A copy of the recorded easement shall be provided to the planning department. The buffer shall be a minimum of 50 feet wide and shall extend around the perimeter outside of the fenced tower site, excluding the access point. This buffer must extend into the adjacent property if the tower setback has been reduced such that the buffer will not fit entirely on the subject property. The approval authority may require the buffer area to be enhanced to provide the desired level of screening for the ground level facilities. Any tree within the buffer that dies or is removed due to disease or windthrow shall be replaced during the next planting season with a minimum of two conifer trees a minimum of six feet in height at the time of planting. The buffer shall be maintained so long as the tower is located on the site.

If site is not a treed area: a minimum 20 foot-wide buffer around the perimeter outside of the fenced site, excluding the access point, shall be planted with site-obscuring conifer trees. The trees shall be planted six feet on center in at least three offset rows. The trees shall be a minimum of six feet in height at the time of planting and shall be maintained in a green and growing state so long as the tower is on the site. Planting shall occur prior to the tower becoming operational.

The approval authority may modify the screening requirements where existing structures on site, existing vegetation along the parcel perimeter, or topography provide adequate screening.

F. Security.

1. A minimum six-foot-high chain link fence with privacy slats and topped with three strands of barbed wire shall be installed around the perimeter of the site for public safety and security purposes. Alternate methods of fencing may be approved if a level of public safety and security similar to that provided by the previously described fence can be clearly demonstrated. The fence and privacy slats shall be a deep green or other color which blends in with the surrounding environment. The fence will require a building permit. Access to the tower shall be through a locked gate.

2. All freestanding WCFs shall be fitted with anti-climbing devices.

G. Parking/Access. At least one parking space, plus adequate turnaround area, shall be provided. The access road, parking and turnaround areas shall have paved, gravel or other all-weather surface. The access road must be a minimum of 10 feet wide.

H. Signals, Lights and Signs. No signals, lights or signs shall be permitted on a WCF unless required by the FCC or FAA, except that all WCFs shall have a sign posted on the access gate with the WCF provider name, contact phone number and emergency phone number on it.

I. Outdoor Storage. Outdoor storage of motor vehicles or materials associated with the WCF is prohibited outside of the fenced area installed pursuant to subsection F of this section.

J. Noise and Interference. WCFs shall not exceed noise standards as defined in Chapter 173-60 WAC or cause interference with electrical, transmission or reception functions or cause similar disturbances. (Ord. 995 § 12 (Exh. A), 2015).

18.70.070 Design standards for attached WCFs.

A. Maximum Height. In a priority location, 28 feet above the building roof or top of structure on which it is mounted. In a secondary location, 10 feet above the building roof or top of structure on which it is mounted.

B. Setbacks. Attached WCF and transmission equipment mounted on building walls or roofs shall not extend over property lines nor into required front, side or rear yard areas; provided, that the site plan review committee may approve an encroachment into a required yard up to two feet for an antenna mounted on the face of wall of a building or structure if the antenna is camouflaged to blend into the architecture of the building or structure on which placed. Antennas mounted on rooftops or atop water tanks shall be set back horizontally from the vertical edge of the structure one foot for every foot of elevation above the roof or tank; or at center or nearest to center when horizontal/vertical measurements.

C. Wall-Mounted. If the antenna is mounted on a wall, it shall be as flush to the wall as technically possible.

D. Architectural Compatibility, Screening and Camouflaging. The antenna shall be architecturally compatible with the building and wall on which it is mounted, and shall be constructed, finished, or fully screened to match as closely as possible the color and texture of the building and wall. Such facilities will be considered architecturally and visually compatible if they are camouflaged to disguise the WCF or designed to blend with the building on which it is mounted.

E. Equipment Structures. Equipment structures mounted on a building roof shall either be hidden from view at ground level off-site or have a finish similar to the exterior building walls. Equipment for an attached antenna may also be located within the building on which the antenna is mounted. At no time shall a WCF be attached to tree; or to use any tree to attach any metal guy or cable supporting any attached antenna.

F. Signals, Lights, and Signs. No signals, lights or signs shall be permitted on an attached WCF unless required by the FCC or FAA.

G. Outdoor Storage. Outdoor storage of motor vehicles or materials associated with the WCF is prohibited.

H. Noise and Interference. WCFs shall not exceed noise standards as defined in Chapter 173-60 WAC or cause interference with electrical, transmission or reception functions or cause similar disturbances. (Ord. 995 § 12 (Exh. A), 2015).

18.70.075 Design standards for WCF in public right-of-way, not on WCF towers.

A. Maximum size.

1. Antennas shall be no larger than three cubic feet in volume.
2. Associated equipment shall be no larger than 28 cubic feet in volume.

B. Maximum height:

1. For WCFs located on utility distribution poles, no more than fifteen feet above the height of the pole to which the WCF is being attached, but in no event higher than a total of forty feet.
2. For WCFs located on street light poles, no more than eight feet above the height of the street light pole, but in no event higher than a total of forty feet. If a replacement street light pole is necessary to accommodate the attachment, the height limitations shall be measured as if the WCF was being installed on the street light pole that previously existed in that location.

3. For WCFs located on new, stand-alone poles, no more than ten feet above the height of any other existing poles located within five hundred feet of the proposed new pole location, but in no event higher than a total of forty feet.
4. Notwithstanding any of the foregoing, the maximum height limits may be modified by the director through the variance process described in Title 18.

C. Design requirements.

1. All WCFs in the right-of-way shall be constructed out of or finished with non-reflective materials (visible exterior surfaces only).
2. The color of stand-alone poles in the right-of-way constructed to accommodate WCFs shall be compatible with the colors of other poles in the right-of-way in the immediate vicinity.
3. Camouflage/Concealment. All WCFs and any transmission equipment shall, to the extent feasible, use camouflage design techniques including, but not limited to the use of materials, colors, textures, screening, undergrounding, or other design options that will blend the WCF to the surrounding natural setting and/or built environment. Design, materials and colors of WCFs shall be compatible with the surrounding environment. Designs shall be compatible with structures and vegetation located in the right-of-way and on adjacent parcels.
4. Camouflage design may be of heightened importance where findings of particular sensitivity are made (e.g. proximity to historic or aesthetically significant structures, view, and/or community features). Should the director determine that WCFs are located in these areas of heightened importance, they shall be designed to minimize their profile at the request of the director.
5. The camouflage design may include the use of base stations and other structures should the director determine that such design meets the intent of this title and the community is better served thereby.
6. Poles and WCFs in the right-of-way should use existing landforms, vegetation, and structures to aid in screening the facility from view or blending in with the surrounding built and natural environment.
7. Poles shall be architecturally compatible with the surrounding area.
8. Poles and WCFs in the right-of-way shall be compatible with the surrounding topography, trees, and foliage.
9. Poles and WCFs in the right-of-way shall include design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
10. To the extent feasible, pole-mounted small cell wireless facilities shall be located on, or within an existing or replacement utility pole serving the city, or another utility and shall be camouflaged and concealed consistent with other existing natural or manmade features near the location where the facilities will be located.
11. If there are no reasonable alternatives, and the applicant is authorized to construct the new stand-alone poles or a replacement pole, to the extent reasonably feasible, such poles shall:
 - a. Be consistent with the size and shape of the pole-mounted equipment installed by communications companies on utility poles near the new stand-alone pole;
 - b. Be sized to minimize the negative aesthetic impacts to the right-of-way and adjacent property;
 - c. Be designed such that any ground mounted equipment shall be located in a manner necessary to address both public safety and aesthetic concerns in the reasonable discretion of the director, and may, where appropriate and reasonably feasible based upon technical, construction, and engineering requirements, require a flush-to-grade underground equipment vault;
 - d. Not alter vehicular circulation or parking within the right-of-way or impede vehicular, bicycle, or pedestrian access or visibility along the right-of-way. No stand-alone pole may be located or maintained in a manner that causes unreasonable interference. Unreasonable interference means any use of the right-of-way that disrupts or interferes with its use by the city, the general public, or other person authorized to use or be present upon the right-of-way, when an alternative exists that would result in less disruption or interference. Unreasonable interference includes any use of the right-of-way that disrupts vehicular or pedestrian traffic, any interference with utilities, and any other activity that will present a hazard to public health, safety, or welfare;

e. Not be located within six-hundred feet of another freestanding WCF pole in the right-of-way. The director may exempt an applicant from these requirements if the applicant demonstrates that the minimum separation requirement cannot be satisfied for technical reasons, and if the director determines that the placement of a WCF at a distance less than six-hundred feet from another WCF will meet the intent of reducing visibility of WCFs to the extent possible; and

f. With respect to equipment enclosures, be located out of view as much as possible.

11. Antennas shall meet the following requirements:

a. antennas shall be mounted as close to the pole as is technically feasible and may be flush mounted, placed on the pole top, or mounted with a standoff bracket.

b. Antennas shall be of a neutral, non-reflective color that is closely compatible with the color of the supporting structure.

12. Aside from antennas, other transmission equipment for all WCFs shall meet the following requirements:

a. All other transmission equipment shall be grouped as closely as technically possible and reduce the overall visual impact of the WCF;

b. Other transmission equipment shall be located out of sight whenever possible by locating within equipment enclosures. Where such alternate locations are not available, the transmission equipment shall be camouflaged or concealed; and

c. Other transmission equipment shall be of a neutral, non-reflective color that is identical to, or closely compatible with, the color of the supporting structure, or uses other camouflage and concealment design techniques so as to make the equipment as visually unobtrusive as possible, including, for example, painting the equipment to match the structure or using a graphics wrap to blend the structure into the surrounding environment.

13. Any new wiring required to bring power to serve a WCF site shall be located underground.

D. Hazardous Materials. No hazardous materials shall be permitted in association with WCFs in the right-of-way, except those necessary for the operations of the WCF and only in accordance with all applicable laws governing such materials.

E. Lighting. WCFs shall not be artificially lighted, unless required by the FAA or other applicable governmental authority, or the WCF is mounted on a light pole or other similar structure primarily used for lighting purposes. If lighting is required, the city may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. Lighting shall be shielded or directed to the greatest extent possible to minimize the amount of glare and light falling onto nearby properties, particularly residences.

F. Noise. Noise generated on the site must not exceed the levels defined in Chapter 173-60 WAC or cause interference with electrical, transmission or reception functions or cause similar disturbances.

G. Adjacent residential uses. WCFs in the right-of-way shall be sited in a manner that evaluates the proximity of the facility to residential property. When placed near residential property, a stand-alone WCF (e.g. a new pole) shall be placed adjacent to the common side yard property line between adjoining residential properties, such that the WCF minimized visual impacts equitable among adjacent properties and minimized impacts existing trees within or next to the right-of-way. In the case of a corner lot, the WCF may be placed adjacent to the common side yard property line between adjoining residential properties, or on the corner formed by two intersecting rights-of-way. If these requirements are not feasible from a construction, engineering, or design perspective, the director may, in his/her sole discretion exempt the WCF from these requirements, through the variance process described in Title 18.

18.70.080 Design standards for WCF ground-mounted equipment structures.

A. Maximum height: 10 feet.

B. Fenced Enclosure. Equipment structures shall be within a fenced enclosure, unless associated with an attached WCF. Equipment structures associated with attached WCFs and located outside fencing must meet all building setbacks, screening and other standards of the underlying zoning district and must be designed to be architecturally compatible with the building near which it is placed. (Ord. 995 § 12 (Exh. A), 2015).

18.70.090 Maintenance of facilities.

All WCF facilities must be maintained in a good and safe condition, including fencing and landscaping buffers, and in a manner that complies with all applicable federal, state and local requirements. (Ord. 995 § 12 (Exh. A), 2015).

18.70.100 Abandonment.

A. No less than 30 days prior to the date that a WCF provider plans to abandon or discontinue operation of a facility, the WCF provider must notify the city by certified U.S. mail of the proposed date of abandonment or discontinuation of operation. In the event that a WCF provider fails to give notice, the facility shall be considered abandoned upon the city's discovery of discontinuation of operation. Upon such abandonment, the WCF provider or landowner shall remove the WCF and restore the site, or reactivate the WCF within one year.

B. City approval for the WCF shall expire one year from abandonment or immediately upon removal, whichever occurs earlier. (Ord. 995 § 12 (Exh. A), 2015).

18.70.110 Radio frequency standards.

Federal law provides that the federal government has sole jurisdiction to regulate in the field of radio frequency (RF) emissions.

~~A. WCF's shall not be conditioned nor denied based on RF impacts. The applicant shall comply with federal standards for radio frequency emissions. Within six months after the issuance of its operational permit, the applicant shall submit a project implementation report which provides cumulative field measurements of radio frequency emissions of all antennas installed at the subject site and compare the results with established federal standards. Said report shall be subject to review and approval by the city council for consistency with federal standards. If on review, the city council finds that the WCF does not meet federal standards, the report shall include a recommendation as to whether or not the city council should revoke or modify the site plan review or special use permit, subject to appeal as provided Chapter 18.14 YMC as may be applicable.~~

~~B. Applicants for WCF permits shall be required to provide information as required in the application certifying compliance with federal standards. The applicant shall ensure that the WCF will not cause localized interference with the reception of area television or radio broadcasts. If on review the city finds that the WCF interferes with such reception, and if such interference is not cured within 60 days, the city may revoke or modify the site plan review or special use permit. (Ord. 995 § 12 (Exh. A), 2015).~~